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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/680,448	10/07/2003	Michael Grant	CDM:4002.9999	4476
75	590 03/09/2005		EXAM	INER
Chernoff Vilhauer McClung & Stenzel, L.L.P.			MARSH, STEVEN M	
1600 ODS Tow	/er			
601 SW Second Avenue			ART UNIT	PAPER NUMBER
Portland, OR 97204-3157 3632			3632	
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DATE MAILED: 03/09/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

/	Application No.	Applicant(s)	Y			
	10/680,448	GRANT, MICHAEL				
Office Action Summary	Examiner	Art Unit				
\	Steven M Marsh	3632				
The MAILING DATE of this communication app Period for Reply	ears on the cover sheet with the c	orrespondence address				
A SHORTENED STATUTORY PERIOD FOR REPLY THE MAILING DATE OF THIS COMMUNICATION. - Extensions of time may be available under the provisions of 37 CFR 1.13 after SIX (6) MONTHS from the mailing date of this communication. - If the period for reply specified above is less than thirty (30) days, a reply - If NO period for reply is specified above, the maximum statutory period w - Failure to reply within the set or extended period for reply will, by statute, Any reply received by the Office later than three months after the mailing earned patent term adjustment. See 37 CFR 1.704(b).	36(a). In no event, however, may a reply be ting within the statutory minimum of thirty (30) day will apply and will expire SIX (6) MONTHS from cause the application to become ABANDONE	nely filed s will be considered timely. the mailing date of this communication. D (35 U.S.C. § 133).				
Status						
1) Responsive to communication(s) filed on 09 De	ecember 2004.					
2a) ☐ This action is FINAL . 2b) ☑ This	action is non-final.					
3) Since this application is in condition for allowar	nce except for formal matters, pro	secution as to the merits is				
closed in accordance with the practice under E	x parte Quayle, 1935 C.D. 11, 45	53 O.G. 213.				
Disposition of Claims						
4)⊠ Claim(s) <u>1-11</u> is/are pending in the application.						
4a) Of the above claim(s) is/are withdraw	vn from consideration.					
5) Claim(s) is/are allowed.						
6)⊠ Claim(s) <u>1-11</u> is/are rejected.			٠			
7) Claim(s) is/are objected to.						
8) Claim(s) are subject to restriction and/or	r election requirement.					
Application Papers						
9) The specification is objected to by the Examine	r.					
10)⊠ The drawing(s) filed on <u>19 January 2005</u> is/are: a)⊠ accepted or b)□ objected to by the Examiner.						
Applicant may not request that any objection to the		•				
Replacement drawing sheet(s) including the correct	ion is required if the drawing(s) is ob	jected to. See 37 CFR 1.121(d).				
11)☐ The oath or declaration is objected to by the Ex	aminer. Note the attached Office	Action or form PTO-152.				
Priority under 35 U.S.C. § 119						
12) ☐ Acknowledgment is made of a claim for foreign a) ☐ All b) ☐ Some * c) ☐ None of: 1. ☐ Certified copies of the priority document	, ,)-(d) or (f).				
2. Certified copies of the priority document		on No.				
3. ☐ Copies of the certified copies of the prior	• •					
application from the International Bureau	· ·					
* See the attached detailed Office action for a list	* **	ed.				
Attachment(s)	_					
1) Notice of References Cited (PTO-892)	4) Interview Summary Paper No(s)/Mail D					
 Notice of Draftsperson's Patent Drawing Review (PTO-948) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) 		ate Patent Application (PTO-152)				
Paper No(s)/Mail Date	6) Other:	•				

DETAILED ACTION

This is the second office action for U.S. Application 10/680,448 for Interlocking Fasteners for Mounting Wall-Hung Articles filed by Michael Grant on October 7, 2003.

Drawings

The drawings were received on January 19, 2005. These drawings are acceptable.

Claim Rejections - 35 USC § 103

Claims 1-3 and 6-10 are rejected under 35 U.S.C. 103(a) as being unpatentable over DeLuccia in view of U.S. Patent 5,961,090 to Parkin. DeLuccia discloses an elongate clip (see fig. 2) with a planar first side (32) and a planar second side (20) which is parallel to the first side and is separated therefrom to provide a predetermined clip width. There is a contact surface (portion including the topmost surface of the clip, containing the portion extending down to the stepped portion between 32 and 16) that extends between the first side and second sides along an elongate edge of the clip. The contact surface has a Z-shape in cross section, and includes a first face (the topmost surface of the clip) which angles inwardly and forwardly from the first side at a predetermined angle (90 degrees with respect to the first and second sides), and a second face (portion extending inward from 20, towards 32) that angles inwardly and rearwardly from the second side at a second predetermined angle (90 degrees with respect to the first and second directly opposite

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32) that is longer than the first and second faces, and the third face is at a third predetermined angle (0 degrees) with respect to the first and second sides, which is less than the first and second angles. A portion of the first side is recessed towards the second side (the portion containing 22) and there is at least one opening (that receives fastener 26) which extends from the recess to the second side.

DeLuccia does not disclose the first face or the second face extending at acute angles. Parkin discloses elongate clips for hanging articles from a vertical wall. Each clip is provided with a contact surface (20 and 30) that extends from planar first and second sides (18 and 28), respectively. The faces of the contact surfaces extend from the planar surfaces at acute angles to provide a secure supporting arrangement between the clips. It would have been obvious to one of ordinary skill in the art at the time of the present invention to have formed the faces of the contact surface of DeLuccia with acute angles, as taught by Parkin, for the purpose of providing a secure supporting arrangement between the clips. DeLuccia does not disclose the specific angles of the first, second, or third angles. However, the specific angle is a matter of design preference that would have been obvious to one of ordinary skill in the art at the time of the present invention for the purpose of modifying the shape of the clip for different structures.

Claims 4, 5, and 11 are rejected under 35 U.S.C. 103(a) as being unpatentable over DeLuccia in view of Parkin, and in further view of Brindisi. DeLuccia in view of Parkin does not disclose distal extremities with rounded ends offset from the first and second faces. Brindisi provides a teaching for providing a rounded distal end (827 of

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fig. 47) offset from the face of a hooking portion on a wall. It would have been obvious to one of ordinary skill in the art at the time of the present invention to have provided the faces taught by DeLuccia in view of Parkin with rounded, offset distal extremities, as taught by Brindisi, for securely fitting two objects together. DeLuccia in view Parkin, and in further view of Brindisi does not disclose the specific distance between the offset and each face, but that is a matter of design preference that would have been obvious to one of ordinary skill in the art at the time of the present invention.

Response to Arguments

Applicant's arguments with respect to claims 1-11 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Steven Marsh whose telephone number is (703) 305-0098. The examiner can normally be reached on Monday-Friday from 8:00AM to 4:30 PM. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone

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number is (703) 308-2168. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

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Steven M. Marsh

March 4, 2005

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